



18/00308/SCC and 18/00304/SCC – Shepperton Quarry, Littleton Lane.
Scale 1:2,000

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Planning Committee

2 May 2018



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| Application Nos. | 18/00308/SCC | | |
| Site Address | Shepperton Quarry, Littleton Lane, Shepperton | | |
| Proposal | Surrey County Council consultation for the use of land as a recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products. Importation of waste material for recycling and retention of screen bunding, two storey site office and two storey weighbridge office for a temporary period until 30 September 2019 (retrospective) | | |
| Applicant | Killoughery Waste Management (Surrey County Council Application) | | |
| Ward | Laleham and Shepperton Green | | |
| Call in details | Cllr Attewell called the application in due to concerns by local residents | | |
| Application Dates | Valid: 27.02.2018 | Expiry: N/A | Target: N/A |
| Case Officer | Kelly Walker | | |
| Executive Summary | <p>The application seeks to continue the recycling use and retain the two-storey office and weighbridge for a further period of over two years until 30 September 2019. (However, given the application is retrospective almost 1 year has already been carried out). The proposal also includes the importation of material to the site for recycling which was not part of the most recent permission.</p> <p>Previous time extensions have been allowed for the continued recycling of materials that were being extracted as part of the final phase of works for this site, which have been delayed by the extension of the working and restoration of the Home Farm extension on Laleham Nurseries and Shepperton Studios land. This proposal also includes the importation of material to the site for recycling, however, the imported material will not come from local mineral sites as it has done in the past and is not required for the restoration of the site. As such although the site is already being used for recycling, it is not considered that the need for recycled materials justifies very special circumstances to allow importation of materials to the site which will be likely to further delay the restoration of the site and further extend the time frame of this temporary site in the Green Belt.</p> <p>It is recommended that an objection is raised to the importation of material for recycling at the site.</p> | | |
| Recommended Decision | It is recommended that Spelthorne Council Objects to this proposal. | | |

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|-----------------------------|---|-------------|-------------|
| Application Nos. | 18/00304/SCC | | |
| Site Address | Shepperton Quarry, Littleton Lane, Shepperton | | |
| Proposal | Surrey County Council Consultation for the use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility and the site for a temporary period until 30 September 2019 (Retrospective). | | |
| Applicant | Killoughery Waste Management (Surrey County Council Application) | | |
| Ward | Laleham and Shepperton Green | | |
| Application Dates | Valid: 26.02.2018 | Expiry: N/A | Target: N/A |
| Case Officer | Kelly Walker | | |
| Executive Summary | <p>The application seeks to continue the use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility and the site for a temporary period of a further period of over two years until 30 September 2019.</p> <p>In view of the existing use of the site, previous decisions and the previous approval for extended works at the Home Farm Quarry, it is recommended that no objection is raised to this proposal.</p> | | |
| Recommended Decision | No objection. | | |

MAIN REPORT

1. Development Plan

1.1 The following policies are considered relevant to this proposal:

Surrey Minerals Plan Core Strategy DPD 2011

- MC1 (Spatial Strategy – Location of Mineral Development in Surrey)
- MC3 (Spatial Strategy – Mineral Development in the Green Belt)
- MC4 (Efficient use of Mineral Resources)
- MC6 (Safeguarding Mineral Resources and Development)
- MC7 (Aggregate Minerals Supply)
- MC11 (Green Belt)
- MC14 (Reducing the Adverse Impacts of Mineral Development)
- MC15 (Transport for Minerals)
- MC17 (Restoring Mineral Workings)

Surrey Minerals Plan Primary Aggregates DPD 2011

- MA1 (Aggregates Supply)
- MA2(Preferred Areas for Concreting Aggregate)

Minerals site Restoration SPD 2011

Core Strategy and Policies DPD 2009

- SP1 (Location of Development)
- LO1 (Flooding)
- EN3 (Air Quality)
- EN8 (Protecting and Improving the Landscape and Biodiversity)
- EN11 (Development and Noise)

Saved Local Plan 2009

- GB1 (Green Belt)
- RU11 & RU14 – (Sites of Nature Conservation Importance)

National Planning Policy Framework, March 2012

Draft Revised National Planning Policy Framework, March 2018

National Planning Practice Guidance – Minerals updated 2014

2. Relevant Planning History

- 2.1 A detailed description of the site and its history is set out in the "Neighbour Information Note" from Surrey County Council, which is attached as Appendix. A brief summary is outlined below.
- 2.2 In May 1998, permission for a recycling operation was refused (ref. SP/98/0205) for Green Belt and flooding reasons. Temporary permission was granted on appeal (ref. T/APP/8360/A/98/1013164) for a period of five years expiring on 21 May 2004.
- 2.3 In January 2003, permission was granted (ref. SP/02/1149) to retain a two-storey portacabin on the site. This was used ancillary to the recycling use for office purposes and was limited by condition to the same end date as the recycling operation.
- 2.4 In January 2005, permission was refused (ref. 04/00750) to renew the temporary recycling facility permission for an additional five years. Temporary permission was granted on appeal (ref. APP/B3600/A/05/1175072) for a period of five years expiring on 21 May 2009.
- 2.5 In January 2011 permission was granted (ref. 09/00371) for the continued use of land as a temporary recycling facility for construction and demolition waste using crushing and screening plant to produce secondary aggregates and recycled soils, stockpiling of waste and recycled products until 21 May 2014.
- 2.6 In 2014, a further two year extension was granted (ref. 14/00835) for the continued use of the land as a temporary recycling facility.

- 2.7 In 2016, a further one year extension of time was granted (ref. 16/00662/SCC) for the continued use of the land as a temporary recycling facility, expiring 21 May 2017. This permission did not allow the importation of waste for recycling and required the aggregate recycling area to be restored by 21 May 2017.
- 2.8 In May 2017 the applicants submitted an application to extend the time frame of the operations at the site (ref 17/00501/SCC) until May 2019. However the application fee was not received by SCC before the planning permission expired and as such SCC did not validate the application. Nevertheless, SBC was consulted and the application was referred to Planning Committee for determination. No objection was raised to the proposal subject to a number of points including that Surrey County Council encourage Brett's to work the land under the existing industrial buildings for minerals and to finish working the site. It is important to note that this application submitted by Bretts, did not include the proposal to import material to the site for recycling.
- 2.9 In addition permission has been given for the siting of two container units for employee welfare purposes under ref 12/00386/SCC. These have been subsequently extended a number of times alongside the extension of time of the recycling facility with the most recent application ref 16/00663/SCC until 21 May 2017.

Surrey County Council are the determining authority and are due to consider these applications at their May Committee.

3. Description of Current Proposal

Background

- 3.1 The Shepperton Quarry site lies in an area with a long history of mineral working. The Shepperton Pit Lake was formed prior to 1965 as a result of mineral extraction at Shepperton Pit under a permission issued prior to the enactment of the 1947 Town and Country Planning Act. Planning permission for the continuation of gravel extraction and extension to the site was permitted under reference no. STA/789/6 in 1955. Since the mid-1970s the lake has been used for the disposal of silt arising from the processing of minerals in the Shepperton Pit processing plant, up until a few years ago. The site also contains an inactive sand and gravel processing plant, now largely dismantled which up to 2015 was used for the processing of minerals extracted from Home Farm Quarry and its eastern extension, situated approx. 600m to the north. The minerals were transported by conveyor belt.
- 3.2 Mineral reserves remain beneath the processing plant at Shepperton Quarry. The working of this remaining mineral and restoration of the Shepperton Quarry is controlled through the working and restoration conditions approved under the Review of Old Mineral Permission (ROMP) ref no. SP98/0643, which requires the whole of the site to be restored by 21 February 2020. A Section 106 agreement in connection with the ROMP provides a long term landscape and biodiversity management plan for the restored Shepperton quarry site.

The site

- 3.3 The recycling facility is situated in the northeast of the Shepperton Quarry site. The site is located within the Green Belt and the eastern and northern part of the site is designated as the Shepperton Quarry Site of Nature Conservation Importance (SNCI), with particular reference to bird populations. It is situated to the north of the M3 and west of Littleton Lane, 1km to the south east of Laleham Village. To the east of Shepperton Pit Lake is the Shepperton pit processing plant, stockpiles, concrete batching plant, inert waste recycling facility and some buildings used for Industrial purposes.. The processing plant has most recently been used for processing mineral extracted from the Home Farm and Laleham Nurseries site (Home Farm Quarry).

4. Description of Current Proposal

- 4.1 As noted above, the permission at the site expired in May 2017 and the applicants failed to submit a valid application before it had expired for the extension of time of that permission. As such a new retrospective application has been submitted to SCC for this use, which also includes the importation of waste material for recycling which is currently ongoing at the site. The applications are described below.

Application ref 18/00308/SCC

- 4.2 Application ref 18/00308/SCC seeks the use of land as a recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products. The proposals also include the importation of waste material for recycling and retention of screen bunding, two storey site office and two storey weighbridge office for a temporary period until 30 September 2019 (retrospective).
- 4.3 No changes are proposed to the previous layout of the site operating hours, stockpile heights limits, dust mitigation, type of waste to be recycled or the methods used in recycling materials. The main change is that the application seeks planning permission for the importation of 100,000 cubic metres of construction and demolition waste per annum. In addition, the two storey office building has not had planning permission in the past and it is understood was installed to replace the weighbridge but now the applicants are applying to retain both.
- 4.4 The site continues to treat remaining on site stockpiles of waste material brought to site under older planning permissions. The proposal involves continued waste recycling of existing construction and demolition waste stockpiles and waste which will be derived from the restoration of the of the remainder of the Littleton lane site and the re-instatement of the ability to import waste, which ceased in 2016. As such the application seeks the continued use of the land as a temporary recycling facility for construction and demolition waste until 30 September 2019.

- 4.5 Material will come from bulk excavation, building and demolition work and road maintenance projects. Imported material will be stockpiled prior to sorting and processed to provide three recycled products, a high grade crushed concrete suitable for use with manufacture of ready mixed concrete, a general crushed concrete for sub base uses and recycled soils suitable for landscaping works, as it currently is on site.
- 4.6 Various pieces of plant are used on site to recycle including two mobile screens, a wheeled loading shovel and a 360 degree hydraulic excavator and a mobile crusher. The site will generate an average of 52 lorry movements (26 loads) per day which equates to 5 per hours, with the maximum being 80 movements per day (40 loads).
- 4.7 The applicants note that this is the same as the previous use at the site and rather than lorries arriving empty and leaving full with recycled material they will arrive full with materials to be recycled and leave with recycled materials. They go on to note that no additional lorry movements will take place as a result of this proposal.

Application ref 18/00304/SCC

- 4.8 This is a consultation by Surrey County Council for the use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility and the site for a temporary period until 30 September 2019 (Retrospective).
- 4.9 This application seeks to retain the employee welfare facilities in line with the timescales proposed for the recycling facility.

5. Consultations

- 5.1 The following table shows those bodies consulted by Spelthorne and their response.

| Consultee | Comment |
|----------------------------------|--|
| Environmental Health - Noise | No objection, subject to previous conditions which would adequately mitigate nuisance. |
| Environmental Health - Pollution | No objection, subject to previous conditions which would adequately mitigate nuisance and further comments were sent onto SCC including concerns about dust on road from the site. |

- 5.2 Surrey County Council is the determining authority and has carried out consultation on the application.

6. Public Consultation

Letters of objection have been received from 15 properties and also on behalf of both Laleham and Shepperton Residents Associations raising the following issues:-

- Traffic generation
- State of roads
- Does not have permission
- Should not be allowed to bring more material in, should be for restoration only
- Supposed to be a temporary use
- Noise and disturbance
- Green belt – no very special circumstances exist
- material should not be allowed to be brought to site
- No evidence of alternative sites

7. Issues

- Green Belt
- Flooding
- Visual impact
- Traffic impact
- Noise
- Dust

8. Planning Considerations

- 8.1 The Shepperton Quarry in Littleton Lane has existed for many decades and the processing area close to the M3 initially processed materials for this site. During the 1980s land to the south of Shepperton (now restored) and subsequently Home Farm, north of Shepperton Road and extensions to this to the east, including recently parts of Laleham Nurseries and the 'backlot' to Shepperton Studios have all been worked with gravel taken by conveyor belt to the Littleton Lane processing plant. This extension of pits and concentrating processing on sites away from existing housing is preferable to new processing plant being built for each new site.
- 8.2 In the past 15 years or so, Government has encouraged the recycling of waste construction materials and the co-location with material processing plants has had the advantage that material that is not recycled can be used for the filling of 'pits'. In this case, the principle of recycling at the site has been established through earlier permissions, however this has been in combination with the restoration of the site and nearby mineral extraction.
- 8.3 It is understandable that the Committee, when responding to the previous application for an extension of time, stated it wanted the recycling to finally cease by 21 May 2017 in order to see activity draw to a close on this site. This application seeks to bring additional materials to site to be recycled and removed from site. This is not required for the restoration of the site and as such will delay the timeframe that restoration can take place and also add additional HGV movements that would otherwise not be carried out.

- 8.4 The site is within the Green Belt and consideration has to be given to the impact of the proposal upon the character, aims and objectives of the Green Belt. The proposal is, and has always been, considered to be inappropriate development with the Green Belt. However, the Inspectors in allowing the previous appeals have both concluded that very special circumstances do exist to justify this development within the Green Belt on a temporary basis. These conclusions have been reached after assessing the overall need for such recycling facilities, the environmental impacts of the use, the permanence of the use and the overall impact upon the Green Belt. Previously, no objection has been raised to extending the time limits, in view of the requirement that the proposal was aligned to a nearby site.
- 8.5 With regard to the need, the Surrey Waste Plan and other national and regional recycling policies do encourage the provision of recycling sites. The requirement for the production of recycled and secondary aggregates was identified by the Inspector in the 2006 appeal decision letter and at that time there was a projected shortfall in capacity, which would have been further increased by the closure of the Littleton Lane facility.
- 8.6 In considering the original appeal in 1999, the Inspector concluded that the temporary period of five years was acceptable. However, the appeal decision letter also stated that *'any proposal for a longer period would have to be judged on its own merits and different circumstances are likely to arise in the future as, for example, the expiry of the lease on the industrial area south of the appeal site becomes more imminent'*.
- 8.7 The Inspector considering the 2006 appeal also stated that *'the essential characteristic of Green Belts is their permanence... The Inspector who considered the previous appeal expressed concern that, if a 5-year permission were granted then on the basis that a temporary development would be less harmful than a permanent development, the same argument could be repeated in support of further temporary permissions. That concern has been borne out with just that argument being advanced in this case....while the possibility of a further application on this site cannot be precluded, I am confident that the likelihood of a succession of temporary permissions leading effectively to a long-term development is slight. Therefore, the permanence of the Green Belt here will be maintained.'*
- 8.8 Concerns have been raised by SBC in this regard each time there has been an application for an extension of time of the permission. In the Officers report for the renewal permission ref 09/00371/SCC, the officer wrote *'...The applicant has stated that it is the intention to align this further temporary application with the start up of a proposed facility on an extended site at Home Farm. An application for this extension has been submitted to the County Council in January, although it currently remains invalid. Even if the application is eventually validated and given due consideration, there is no guarantee that the proposal will be found acceptable, which may give rise to the prospect of an application for a further renewal of the temporary permission. This would raise strong concerns over whether this site and its use will become a long-term development. In view of the timescale already reached, the use of the site is starting to provide a degree of permanence, with the associated impacts upon the openness of the Green Belt, and further renewals would be of particular concern. Therefore, the County Council*

should be advised that the length of this temporary permission should be specifically restricted to existing consents on Home Farm’.

- 8.9 In considering a recent approval (16/00662/SCC) this Council raised no objections subject to the following matters:

i) That the length of the temporary use on this site is restricted to any existing consents for gravel extraction and restoration on Home Farm.

ii) That the use of the site as a recycling facility ceases on 21 May 2016.

It would appear that the site is becoming permanent and that the recycling facility use should be only in association with local mineral workings and restoration to the Shepperton Quarry Site. The restoration should not be delayed by allowing further importation of materials from unrelated site elsewhere.

- 8.10 There is merit in retaining a recycling facility whilst there is material on site which needs to be processed. However, it does not appear to be the case that material needs to be imported and processed to complete the restoration. The previous scheme 16/00662/SCC which expired in May 2017 specifically excluded the importation of material to be processed and the only argument now being put forward by the applicants is that there appears to be a general need for aggregate recycling in the area. The applicant states that there will be no additional lorry movements as the lorries will arrive full with the unprocessed material and leave full with the processed material. However, it is difficult to see how this will occur in practice due to the logistical difficulties with this and in any event there are concerns with the impact on the green belt associated with the importation of material to the site.
- 8.11 The case for allowing this at Littleton Lane needs to be considered against the existence of current facilities. There is a permanent facility at Oak Leaf Farm, and temporary facilities at Stanwell, Hithermoor and, Queen Mary Reservoir.
- 8.10 Given that the life of this site has been extended several times in order to facilitate the processing of material from new mineral sites close by it is considered that there is no case for allowing any further extension of uses on this site unless they are part of a package which guarantees delivery of the restoration of the complete site by the currently agreed timetable ending on 21 Feb 2020. The importation of recycling material to the site represents inappropriate development within the green belt for which no very special circumstances have been demonstrated, contrary the National Planning Policy Framework.
- 8.11 Having regard to the number of recycling sites currently active in the Borough that there is a sustainable argument for very special circumstances to continue importing material for processing, particularly where this is unrelated to the restoration of the site. It is important that the site is fully restored by 21 Feb 2020.
- 8.12 It is recognised that the mineral extraction operations have now ceased at the Home Farm extension site and the site has been restored. The most recent planning approval for the continued use of this recycling facility was justified

and based on the need for materials from the Home Farm Quarry requiring processing and recycling.

- 8.13 The applicant has stated that the extended time period for this site would contribute to meeting the targets of the recycling capacity in Surrey where there is an identified need. Whilst the retention of recycling facilities when nearby gravel is worked through the plant at this site and concentrating compatible uses to one site results overall in less disturbance, the applicant is seeking to import more material from demolition and construction elsewhere which does not fit this criterion. It will result in unnecessary journeys to and from the site and also delay the restoration of the site. It is also not considered that there is justification to allow the importation of further material to the site for recycling when there are other sites nearby including close by at Queen Mary Quarry which carry out the same process. (despite these also being located within the green belt). It is also relevant to note that the application submitted by Bretts in May 2017 did not include the importation of materials although this application was not made valid by SCC due to the late submission of the fee.

Other issues

- 8.14 The Councils Environmental Health Officers, Pollution Control and Noise have not raised any objections to the proposal and similar conditions could be imposed. The flooding issues were considered in the original approval and it is not considered that there are any significant additional flood risks, and would be assessed by the Environment Agency whom SCC will consult. The highways issues are matters for internal consideration by Surrey County Council.

Conclusion

- 8.15 Based on the previous temporary consents at the site, allowing for the working of minerals at the site and processing of mineral brought from nearby sites which have now been completed, the restoration of the Shepperton Quarry should be carried out with no further importation of materials to the site. As such the proposal to import more materials for recycling to the site it is considered to be unacceptable, and no very special circumstances exist to justify it in the Green belt location.

9. Recommendation

- 9.1 That the County Council be informed that this Council OBJECTS to application ref 18/00308/SCC regarding the importation of recycling material to the site which represents inappropriate development within the green belt for which no very special circumstances have been demonstrated, contrary the National Planning Policy Framework.
- 9.2 That the County Council be informed that this Council raises No OBJECTION to application ref 18/00304/SCC

NEIGHBOUR INFORMATION NOTE

TOWN AND COUNTRY PLANNING ACT 1990 - MINERALS/WASTE APPLICATION

Our reference: SCC Ref 2017/0124 and SCC Ref: 2017/0123

District/Borough Council Reference: SP

(Note: If District/Borough Council Reference above is incomplete it means that they haven't advised us of the formal planning application register number when we compiled this note).

This neighbour information note relates to two retrospective planning applications submitted by Killoughery Waste Management Ltd relating to the Aggregates Recycling Facility located within Shepperton Quarry.

The application documents and plans are available to view or download from our website <http://planning.surreycc.gov.uk>. (Search on this website using our reference eg SCC Ref: 2017/0124 or SCC Ref: 2017/0123)

SITE AND PROPOSAL

Aggregates Recycling Facility at Shepperton Quarry, Littleton Lane, Shepperton, Surrey TW17 0NF

Plans indicating the approximate location of each application site have been provided, and although every effort has been made to reflect the boundary shown on the planning applications, you are advised to check the application documents and plans on our website or the planning register held by the District/Borough Council.

Application 1

Our reference: SCC Ref: 2017/0124

The use of land as a recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products, importation of waste material for recycling and retention of screen bunding, two storey site office and two storey weighbridge office for a temporary period until 30 September 2019 (retrospective).

Application 2

Our reference: SCC Ref: 2017/0123

The use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility at the site, for a temporary period until 30 September 2019 (retrospective).

(Note: Please make it clear in your correspondence which application or applications you are making comments on by using the Surrey County Council (SCC) application reference, or references.)

APPLICANT

Killoughery Waste Management Ltd

SITE LOCATION AND BACKGROUND

The Shepperton Quarry recycling facility is situated within the north eastern part of Shepperton Quarry. The quarry lies on the west side of Littleton Lane just north of the M3 Motorway, to the south-east of Laleham and to the west of Shepperton. The closest housing

DESCRIPTION OF PROPOSAL

Application 1

Our reference: SCC Ref: 2017/0124

This application is seeking planning permission for the use of land as a recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products, importation of waste material for recycling and retention of screen bunding, two storey site office and two storey weighbridge office for a temporary period until 30 September 2019 (retrospective). For clarification, the application is proposing that the current aggregates recycling use ceases by 21 May 2019 after which the aggregates recycling area will be restored by 30 September 2019.

Application 2

Our reference: SCC Ref: 2017/0123

The application is seeking planning permission for the use and siting of two container units for employee welfare purposes, ancillary to the proposed aggregates recycling facility at the site, for a temporary period until 30 September 2019 (retrospective).

This note gives only the broadest indication of what the application involves. For full details, or if you are uncertain about the location or possible effect of the proposals on you, you should inspect the complete application documents held on the planning register at your District/ Borough Council or on our website.

Case Officer: David Maxwell
Telephone: 01483 518899